

Notice of Allowability

Application No.

10/676,225

Examiner

Shew-Fen Lin

Applicant(s)

RUSSELL-FALLA ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/30/2006.
2. ☒ The allowed claim(s) is/are 25-27 and 32-52 (renumbered as 1-24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


MOHAMMAD ALI
PRIMARY EXAMINER

DETAILED ACTION

- a. This action is responsive to amendment filed on 6/30/2006.
- b. Claims 25-27 and 32-52 are allowed (renumbered as claims 1-24). Claims 1-24 and 28-31 have been cancelled.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank R. Agovino on July 26, 2006.

Please amend the claims, which was filed on 6/30/2006, as follows:

In claim 25,

line 20, -- accumulated from analyzing content of ~~training data~~ emails-- .

Please cancel claims 28-31.

In claim 32,

line 20, -- accumulated from analyzing content of ~~training data~~ emails-- .

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In claim 37,

lines 12-14, -- calculating a rating for the email responsive to the weighted set of term;
and incrementally adjusting the weighting associated with each regular expression in the
database based on error data accumulated from analyzing content of ~~training data~~ emails--

In claim 47,

line 21, -- accumulated from analyzing content of ~~training data~~ emails-- .

Reasons for Allow

The following is an examiner's statement of reasons for allowance:

Independent claims 25, 32, 37, and 47 each recites, among other limitations, the limitation of "incrementally adjusting the weighting associated with each regular expression in the database based on error data accumulated from analyzing content of emails".

It is noted that many prior arts (for example, Duffy et al. US Patent 5,911,043) teach rating documentation based on rules, but none of them teaches this limitation of "incrementally adjusting the weighting" based on emails. The patentability of Applicants' invention was examined and evaluated against the prior art listed below. These prior art are considered pertinent to the subject matter of Applicants' invention, as discussed next,

- DUFFY, R A et al., US 5911043 A, "Retrieving system for rating information from computer network e.g. Internet".
- Rose et al., US 5724567, "System for directing relevance-ranked data objects to computer users".
- Nielsen; Jakob, US 6453327 B1, "Method and apparatus for identifying and discarding junk electronic mail".
- Colwell; Steve et al., US 5303361 A, "Search and retrieval system".
- Stockwell; Edward B. et al., US 6144934 A, "Binary filter using pattern recognition".

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However, none of the prior art of the record teaches or suggests, independently or in combination, the combination of claimed elements including the specific features recited by the independent claims, 25, 32, 37, and 47 as indicated above.

The dependent claims, being definite, further limiting, and fully enabled by the specification and are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shew-Fen Lin
Patent Examiner

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July 26, 2006


MOHAMMAD ALI
PRIMARY EXAMINER